

By: Nevárez

H.B. No. 899

A BILL TO BE ENTITLED

AN ACT

relating to the notice given by a property owner prohibiting a handgun license holder from carrying a handgun on certain property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 30.06(c)(3), Penal Code, is amended to read as follows:

(3) "Written communication" means a sign posted in accordance with rules adopted by the public safety director of the Department of Public Safety under Subsection (c-1) [+

~~[(A) a card or other document on which is written language identical to the following: "Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun", or~~

~~[(B) a sign posted on the property that:~~

~~[(i) includes the language described by Paragraph (A) in both English and Spanish,~~

~~[(ii) appears in contrasting colors with block letters at least one inch in height, and~~

~~[(iii) is displayed in a conspicuous manner clearly visible to the public].~~

SECTION 2. Section 30.06, Penal Code, is amended by adding Subsections (c-1) and (c-2) to read as follows:

1 (c-1) The public safety director of the Department of Public
2 Safety shall adopt rules regarding the content, size, and other
3 characteristics of signs to be posted on a building or other
4 property where the property owner seeks to prohibit a license
5 holder from carrying a concealed handgun. The rules must require
6 the sign to:

7 (1) contain a pictogram that shows, on a white
8 background, a handgun drawn in black ink within a red circle and a
9 diagonal red line across the handgun;

10 (2) contain language that includes the following:
11 "Section 30.06, Penal Code (trespass by license holder with a
12 concealed handgun)";

13 (3) be a readable and conspicuous size but not larger
14 than 8.5 inches by 11 inches;

15 (4) be posted at each exterior entrance that is open to
16 the public;

17 (5) be posted in a conspicuous manner clearly visible
18 to the public;

19 (6) not be obstructed or altered in any way; and

20 (7) be immediately replaced by the property owner if
21 the sign becomes illegible.

22 (c-2) The Department of Public Safety shall make available
23 on the department's Internet website a printable electronic copy of
24 a sign that complies with the rules adopted under Subsection (c-1).

25 SECTION 3. Section 30.07(c)(3), Penal Code, is amended to
26 read as follows:

27 (3) "Written communication" means a sign posted in

1 accordance with rules adopted by the public safety director of the
2 Department of Public Safety under Subsection (c-1) [+

3 ~~[(A) a card or other document on which is written~~
4 ~~language identical to the following: "Pursuant to Section 30.07,~~
5 ~~Penal Code (trespass by license holder with an openly carried~~
6 ~~handgun), a person licensed under Subchapter H, Chapter 411,~~
7 ~~Government Code (handgun licensing law), may not enter this~~
8 ~~property with a handgun that is carried openly"; or~~

9 ~~[(B) a sign posted on the property that:~~

10 ~~[(i) includes the language described by~~
11 ~~Paragraph (A) in both English and Spanish;~~

12 ~~[(ii) appears in contrasting colors with~~
13 ~~block letters at least one inch in height; and~~

14 ~~[(iii) is displayed in a conspicuous manner~~
15 ~~clearly visible to the public at each entrance to the property].~~

16 SECTION 4. Section 30.07, Penal Code, is amended by adding
17 Subsections (c-1) and (c-2) to read as follows:

18 (c-1) The public safety director of the Department of Public
19 Safety shall adopt rules regarding the content, size, and other
20 characteristics of signs to be posted on a building or other
21 property where the property owner seeks to prohibit a license
22 holder from openly carrying a handgun. The rules must require the
23 sign to:

24 (1) contain a pictogram that shows, on a white
25 background, a handgun drawn in black ink within a red circle and a
26 diagonal red line across the handgun;

27 (2) contain language that includes the following:

1 "Section 30.07, Penal Code (trespass by license holder with an
2 openly carried handgun)";

3 (3) be a readable and conspicuous size but not larger
4 than 8.5 inches by 11 inches;

5 (4) be posted at each exterior entrance that is open to
6 the public;

7 (5) be posted in a conspicuous manner clearly visible
8 to the public;

9 (6) not be obstructed or altered in any way; and

10 (7) be immediately replaced by the property owner if
11 the sign becomes illegible.

12 (c-2) The Department of Public Safety shall make available
13 on the department's Internet website a printable electronic copy of
14 a sign that complies with the rules adopted under Subsection (c-1).

15 SECTION 5. The public safety director of the Department of
16 Public Safety shall adopt the rules prescribing the content, size,
17 and other characteristics of the sign described by Sections
18 30.06(c-1) and 30.07(c-1), Penal Code, as added by this Act, and,
19 not later than December 1, 2017, make a printable electronic copy of
20 the sign available on the department's Internet website as required
21 by Sections 30.06(c-2) and 30.07(c-2), Penal Code, as added by this
22 Act.

23 SECTION 6. The change in law made by this Act applies only
24 to an offense committed on or after January 1, 2018. An offense
25 committed before January 1, 2018, is governed by the law in effect
26 on the date the offense was committed, and the former law is
27 continued in effect for that purpose. For purposes of this section,

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1 an offense was committed before January 1, 2018, if any element of
2 the offense occurred before that date.

3 SECTION 7. This Act takes effect September 1, 2017.